



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

MANDATORY SETTLEMENT CONFERENCE GENERAL INFORMATION

NOTE: The information in this document is not legal advice. It is intended to provide general information, primarily for self-represented litigants, on what to expect and how to prepare for a Mandatory Settlement Conference (MSC). Additional information is available at www.sandiego.ca.gov under the Family Law section.

What is it? As part of a case resolution plan, the court may order a Mandatory Settlement Conference. An MSC is an informal process at which a qualified family law attorney, appointed by the court, meets with the parties and their attorneys to hear the facts and issues in dispute and to help reach a settlement on some or all of the issues in a case without having to go through a trial. The MSC is not a trial and no witnesses are called.

Who attends? Each self-represented litigant or a party's attorney must personally attend the MSC. The parties and/or attorneys must also be present for the calendar call. No continuances are granted on the date of the hearing absent extraordinary circumstances.

How do you prepare? All parties must be prepared to discuss how they would be willing to settle their case. As part of your case resolution plan, you may be ordered to prepare and serve within certain time limits an MSC brief with certain attached documents. The preferred format for this brief is the Settlement Conference Brief/Mandatory Trial Statement (SDSC Form #D-241) and is available at the Family Law Business Office or online at www.sdcourt.ca.gov. Even if the court does not order the parties to prepare a settlement brief, the Settlement Conference Brief/Mandatory Trial Statement form is a good discussion checklist for a party's personal use during the MSC.

Also, as part of your case resolution plan, you may be ordered to meet with the other party and/or his or her attorney before the MSC to discuss the case, resolve as many issues as possible and specify the ones that need to be litigated. The results of this "meet and confer" will be used to prepare the MSC brief.

If a settlement is reached? If the parties are successful in reaching a full settlement agreement and both parties are self-represented, either the settlement judge or the Family Law Facilitator staff will assist in preparing the necessary paperwork to process and finalize your judgment. If a party is represented by counsel, that attorney will normally prepare the paperwork. If a full or partial settlement is reached, the parties may also ask to see a judicial officer to recite the settlement agreement on the court record.